

REMARKS/ARGUMENTS

Claims 1-30 currently are pending. The pending claims are directed to fumed metal oxide particles and a process for producing the same. Reconsideration of the claims is respectfully requested in view of the remarks herein.

The Office Action rejects claims 1-24 for indefiniteness under 35 U.S.C. § 112, second paragraph. The Office Action indicates that claims 25-30 are allowed.

Claim 1 has been amended to remove a redundant clause from step (a) of the claimed process, thereby deleting the term “material” which was the basis of the indefiniteness rejection set forth in the Office Action. In addition, claim 26 has been amended to correct a typographical error and to provide proper dependency and use of antecedent phrases from claim 25, as supported by the specification at, for example, paragraph 0033. No new matter has been added by way of the claim amendments, and Applicants respectfully submit that the indefiniteness rejection has been rendered moot and should be withdrawn.

Applicants also submit herewith a Supplemental Declaration Under 37 C.F.R. § 1.132 of Sheldon B. Davis to make of record other information provided by Applicants’ representatives to the Examiner during the course of the personal interview held on March 11, 2009, which other information was inadvertently omitted from the Declaration Under 37 C.F.R. § 1.132 of Sheldon B. Davis executed on March 31, 2009, and submitted to the U.S. Patent and Trademark Office on April 1, 2009.

Applicants respectfully submit that the patent application is in condition for allowance. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



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